

H. Regular Calendar

2. Authorize the City Manager to enter into a construction agreement with Job Corp/Operating Engineers for construction of Lodi Lake Beach/West Side (undeveloped area) Trail Improvements

NOTATIONS

Resolution No. 99-165

INDICATED ACTION: Adopt Resolution



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Resolution Authorizing the City Manager to Enter in a Construction Agreement with Job Corps/Operating Engineers for Construction of Lodi Lake Beach/West Side (Undeveloped Area) Trail Improvements.

MEETING DATE: October 20, 1999

PREPARED BY: Parks and Recreation Director

RECOMMENDED ACTION: That City Council approve the resolution authorizing the City Manager to sign a construction agreement with job Corps/Operating Engineers for construction of Lodi Lake Beach/West Side Trail Project.

BACKGROUND INFORMATION: The Lodi Lake Beach/Trial project is a two-phase project. Phase I includes the beach and Turner Road from the beach house to Mills Avenue intersection. The Job Corps/Operating Engineers have agreed to do this public service project for the City of Lodi by performing the following work: supply labor and equipment to remove the wall and sidewalk along Turner Road; remove tree root balls; grade for new trail including relocating berm and grading of beach. Value of this service is estimated to be \$50,000. As part of this agreement, the City is to provide fuel for equipment, dust control, traffic control, construction staking, transportation of equipment, and design. Project to start mid-November.

FUNDING: No funding necessary.

Ron Williamson
Parks and Recreation Director

Prepared by Dwight Dauber, Parks Superintendent

Attachments

cc: City Attorney
Purchasing Officer
Public Works Director
Parks and Recreation Commission

APPROVED: _____

H. Dixon Flynn -- City Manager

10/13/99

**INTERNATIONAL UNION OF OPERATING ENGINEERS
JOB CORPS EQUIPMENT TRAINING PROGRAM
PROJECT AGREEMENT**

This agreement is entered into on this the _____ day of _____, 1999, between Sacramento Job Corps and The City of Lodi. For the purpose of accomplishing the following project; pedestrian and bicycle trails at Lodi Lake Park and expansion of beach area. Scope of work includes; removing existing dirt berm and rebuilding per plans, compaction of new earth work, installation of sand per plans, remove existing concrete rip-rap wall along Turner Road, remove existing concrete sidewalks along Turner Road and beach area, tree removal - rootballs only. For and in consideration of the following terms and conditions the parties agree as follows:

1. This project will be built as a result of the training given to the students.
2. Approximate duration, 5 months, with a maximum work day of 8 hours, 4 days a week. Every effort will be made to complete the project in a reasonable time and to the satisfaction of all parties in this agreement.
3. Job Corps shall provide personnel to work on said project. Equipment shall be limited to what is available in the training program. The project owners will provide all other equipment needed to complete the project.
4. The project owners shall provide: all diesel and gasoline fuels, oil and air filters for the Job Corps equipment and vehicles while on this project. Transportation of all equipment onto the project and back to the Job Corps Center. Reasonable protection and security for Job Corps equipment while located on the said project.
5. The project owners are responsible for: any notification of the public that will cause inconvenience. Providing all safety supplies such as, but not limited to warning signs, barricades or traffic control for this project. All permits, easements, and location of utilities and services.
6. The project owners shall provide all materials to complete this project such as but not limited to: pipe culvert, sand, gravel, gradestakes, fencing, etc.
7. The project owners agree to forever hold the International Union of Operating Engineers and the Job Corps Training Program blameless for any claims, lawsuits or other action that should arise as a result of this project.

8. All Job Corps personnel will be covered by insurance provided by Job Corps. Project owners will have no responsibility for health and accident insurance for Job Corps personnel. Job Corps personnel will not be held liable for injuries incurred on or around Job Corps equipment or equipment owned, leased or donated by project owner to any non-Job Corps persons working or observing said project.
9. Job Corps shall have the right to install two, (2) signs on the project containing information relating to Job Corps involvement in the project.
10. This agreement may be terminated by mutual agreement of all parties involved, or by any one of the parties with 48 hours notice to the other parties involved. After project terminations, all equipment will be returned to the Sacramento Job Corps Center within 48 hours.
11. This agreement shall be null and void if any local labor union objects to this project on the grounds of displacing local labor.
12. City of Lodi takes responsibility for; the removal of existing utilities prior to the start of work, providing construction drawings and staking, traffic control and lane closures, water truck for dust control, compaction testing, imported soil or sand, trucking for off-hauling materials, and tree trimming.

IN WITNESS WHEREOF, the parties set their hands the day and year first above written.

PROJECT OWNER or AGENT(S)

**SACRAMENTO JOB CORPS
CENTER DIRECTOR or AGENT**

RESOLUTION NO. 99-165

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
THE CITY MANAGER TO EXECUTE CONSTRUCTION
AGREEMENT WITH JOB CORPS/OPERATING ENGINEERS FOR
CONSTRUCTION OF LODI LAKE BEACH/WEST SIDE TRAIL
PROJECT

=====

BE IT RESOLVED, that the Lodi City Council hereby authorizes the City Manager to execute Construction Agreement with Job Corps/Operating Engineers for Construction of Lodi Lake Beach/West Side (undeveloped area) Trail Project.

Dated: October 20, 1999

=====

I hereby certify that Resolution No. 99-165 was passed and adopted by the Lodi City Council in a regular meeting held October 20, 1999 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Mann, Nakanishi, Pennino
and Land (Mayor)

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


ALICE M. REIMCHE
City Clerk